

REMARKS

This is a full and timely response to the advisory action mailed August 11, 2005 and the final Office Action mailed May 20, 2005. Applicant respectfully submits that the proposed amendments are fully supported by the current specification (*e.g.*, the portion of the specification describing Fig. 8, among others). Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Claim Rejections - 35 U.S.C. § 102(e)

Claims 1-8 and 10-20 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Carney* (U.S. Patent. No. 6,408,278 B1). Applicant respectfully traverses this rejection.

It is axiomatic that “[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

In the present case, not every feature of the claimed invention is represented in the *Carney* reference. Applicant discusses the *Carney* reference and Applicant’s claims in the following.

a. Claim 1

As provided in independent claim 1, Applicant claims:

A method for distributing and presenting preferred data on a display device located at a predetermined remote premise, comprising:
identifying a user preference;
providing a first communication session between a user and a host server, wherein the first communication session transfers the user preference to the host server;
selecting preferred data responsive to the transferred user preference;
providing a second communication session via a communication link between the host server and a remotely located display device, *wherein the second communication session transfers the preferred data and a display control parameter to the display device and transfers an indication of one or more operational conditions of the display device to the host server; and*
placing the remotely located display device in a presentation mode configured to present the preferred data in response to the display control parameter, the display control parameter including a time period, wherein

the presentation mode of the display device displays the preferred data for a duration in accordance with the time period.

(Emphasis added).

Applicant respectfully submits that independent claim 1 is allowable for at least the reason that *Carney* does not disclose, teach, or suggest at least the features “wherein the second communication session transfers the preferred data and a display control parameter to the display device and transfers an indication of one or more operational conditions of the display device to the host server; and placing the remotely located display device in a presentation mode configured to present the preferred data in response to the display control parameter, the display control parameter including a time period, wherein the presentation mode of the display device displays the preferred data for a duration in accordance with the time period,” as recited and emphasized above in claim 1.

Rather, *Carney* discloses at most a system for delivering program content where a “server 20 can selectively point cast programming content out to display devices 14a-14n. In other words, at any given time, server 20 can control the programming content addressed to display device 14a, while separately controlling the programming content addressed to display device 14n.” Col. 4, lines 35-41. However, *Carney* fails to teach or suggest “wherein the second communication session transfers the preferred data and a display control parameter to the display device . . . placing the remotely located display device in a presentation mode configured to present the preferred data in response to the display control parameter, **the display control parameter including a time period, wherein the presentation mode of the display device displays the preferred data for a duration in accordance with the time period,**” as recited in claim 1. (Emphasis added). In contrast, *Carney* teaches a server controlling programming content and does not suggest that a display device is configured to control timing or duration of display content. For example, *Carney* provides that “demographic information is . . . accessible to server computer 20 so that the programming content can be adjusted to conform with the probable demographic of the changing viewer composition.” Col. 5, lines 61-65.

Therefore, *Carney* does not teach or suggest all of the claimed limitations of claim 1. Therefore, claim 1 is not anticipated by *Carney*, and the rejection should be withdrawn for at least this reason alone.

b. Claims 2-8 and 10-16

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-8 and 10-16 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims 2-8 and 10-16 contain all the steps and features of independent claim 1. Additionally and notwithstanding the foregoing reasons for allowability of claims 2-8 and 10-16, these claims recite further features and/or combinations of features (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Accordingly, the rejections to these claims should be withdrawn.

c. Claim 17

As provided in independent claim 17, Applicant claims:

A digital image leasing system comprising:
means for collecting a plurality of digital images;
means for indexing the plurality of digital images;
means for recording information reflective of a particular customer;
means for providing a mechanism for the particular customer to
communicate an image preference;
means for selecting a digital image responsive to the image preference;
means for communicating the digital image to a display device at a
remote location, *wherein the display device is configured to enter a
presentation mode such that the display device is configured to display the
digital image in accordance with an amount of time specified by a display
parameter; and*
*means for the display device to transfer information regarding the
display device.*

(Emphasis added).

Applicant respectfully submits that independent claim 17 is allowable for at least the reason that *Carney* does not disclose, teach, or suggest at least the features “wherein the display device is configured to enter a presentation mode; and means for the display device to transfer information regarding the display device such that the display device is configured to display the digital image in accordance with an amount of time specified by a display parameter,” as recited and emphasized above in claim 17.

Rather, *Carney* discloses at most a system for delivering program content where a “server 20 can selectively point cast programming content out to display devices 14a-14n. In

other words, at any given time, server 20 can control the programming content addressed to display device 14a, while separately controlling the programming content addressed to display device 14n.” Col. 4, lines 35-41. However, *Carney* fails to teach or suggest “wherein the display device is configured to enter a presentation mode **such that the display device is configured to display the digital image in accordance with an an amount of time specified by a display parameter,**” as recited in claim 17. (Emphasis added). In contrast, *Carney* teaches a server controlling programming content. For example, *Carney* provides that “demographic information is . . . accessible to server computer 20 so that the programming content can be adjusted to conform with the probable demographic of the changing viewer composition.” Col. 5, lines 61-65. Therefore, *Carney* does not teach or suggest at least the claimed limitations “wherein the display device is configured to enter a presentation mode such that the display device is configured to display the digital image in accordance with an an amount of time specified by a display parameter,” as recited in claim 17.

Therefore, claim 17 is not anticipated by *Carney*, and the rejection should be withdrawn for at least this reason alone.

d. Claims 18-20

Because independent claim 17 is allowable over the cited art of record, dependent claims 18-20 (which depend from independent claim 17) are allowable as a matter of law for at least the reason that the dependent claims 18-20 contain all the elements and features of independent claim 17. Additionally and notwithstanding the foregoing reasons for allowability of claims 18-20, these claims recite further features and/or combinations of features (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Accordingly, the rejections to these claims should be withdrawn.

CONCLUSION

For at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



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